

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). On January 21, 2009, the United States Supreme Court remanded a case to the Ninth Circuit for further consideration in light of *United States v. Santos*, __ U.S. __, 128 S. Ct. 2020 (2008). *Moreland v. United States*, __ U.S. __, 120 S. Ct. 997 (2009). Petitioner argues that the Supreme Court’s action indicates that the holding in *Santos* is not limited to cases involving illegal gambling. Whether the Supreme Court eventually broadens the

application of *Santos* has no bearing on this case. Petitioner may not pursue habeas relief under Section 2241 because his claims do not meet the requirements set forth in *Reyes-Requena v. United States*, 243 F.3d 893, 904 (5th Cir. 2001). Therefore, after careful consideration, the court concludes the objections are without merit.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this 2nd day of July, 2009.

A handwritten signature in black ink, appearing to read "David Folsom", is written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE